



Analysis of Massachusetts Arrest-Related Deaths

An Overview of Deaths Occuring in the Process of Arrest between
2003 and 2008

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Report prepared by:
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Points of view in this document are those of the authors and do not necessarily represent the official position or policies of the Massachusetts Executive Office of Public Safety and Security.

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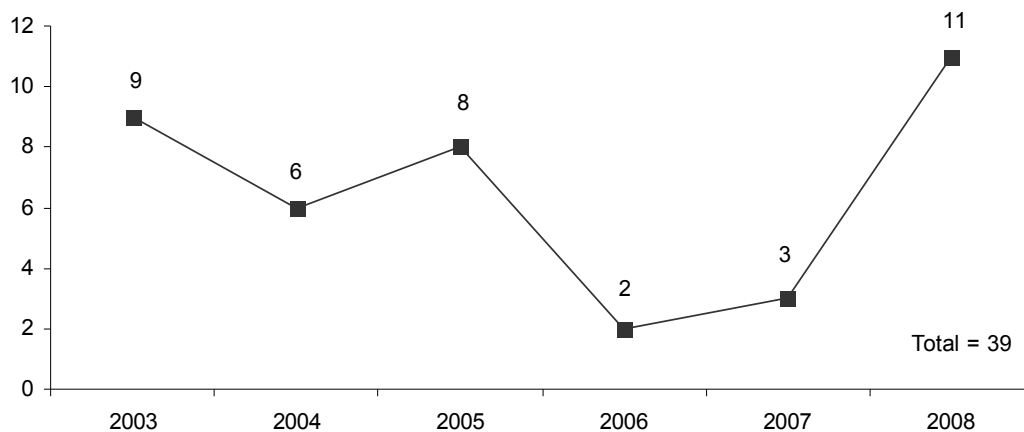
Data Overview

Under the *Death in Custody Reporting Act of 2000* (P.L. 106-297) the Executive Office of Public Safety and Security (EOPSS) is mandated to report information “regarding the death of any person who is in the process of arrest, en route to be incarcerated, or is incarcerated at a municipal or county jail, state prison, or other local or State correctional facility (including a juvenile facility)...” The Research and Policy Analysis Division at EOPSS is responsible for collecting data on all deaths that occur in the process of arrest (or at the time the law enforcement officer comes into contact with the individual)¹ and reporting this data to the Bureau of Justice Statistics².

Although the Act was written into law in 2000, the data collection process did not officially begin until 2003. In 2007, EOPSS converted all paper death in custody records into an electronic storage system with analytic capabilities. This report provides detailed characteristics of individuals that died in the process of arrest and the circumstances surrounding these incidents.

Data on the circumstances of arrest-related deaths were collected through various sources including the Office of the Chief Medical Examiner, local law enforcement agencies, Massachusetts State Police, and media reports (newspapers and online news). Between 2003 and 2008 there were 39 arrest-related deaths in Massachusetts. The number of arrest-related deaths ranged from a low of 2 (in 2006) to a high of 11 (in 2008). The average number of arrest-related deaths was 6.5 per year.

Figure 1.
Arrest-related deaths by year, 2003 to 2008



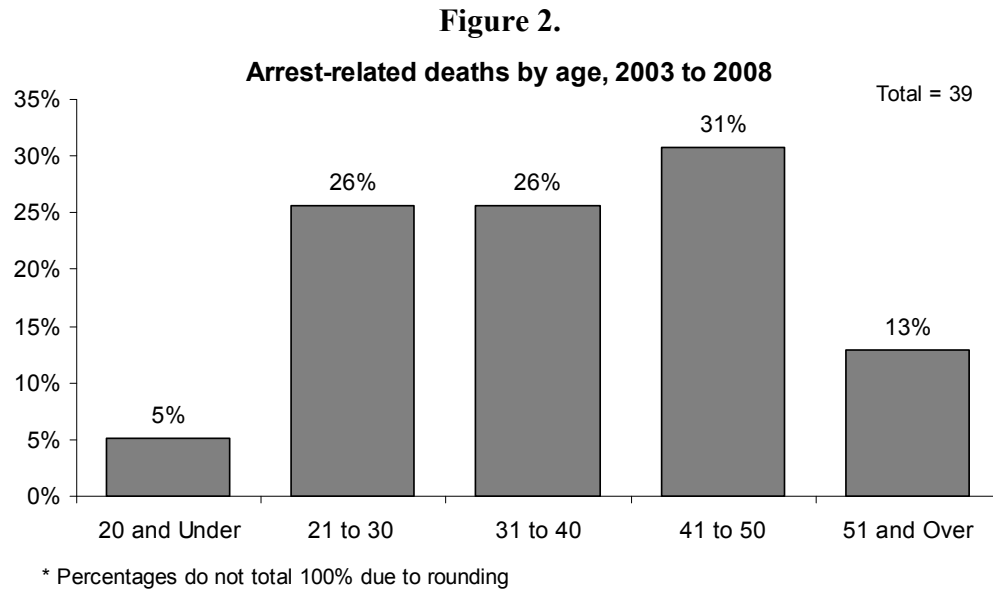
¹ According to the Bureau of Justice Statistics, this includes the deaths of all persons in physical custody or under the physical restraint of law enforcement officers. It is important to note that BJS considers “physical custody” to begin at initial contact by law enforcement officers.

² Once an individual enters a jail, prison, or other State correctional facility EOPSS is no longer responsible for tracking death in custody information. This information is collected by other agencies.

Demographic Characteristics of Deceased Individuals

Age

As shown in Figure 2, approximately a third of the deceased individuals were between the ages of 41 and 50 (31%). The next most common age groups were 21 to 30 (26%) and 31 to 40 (26%). The most common age (modal age) was 45.



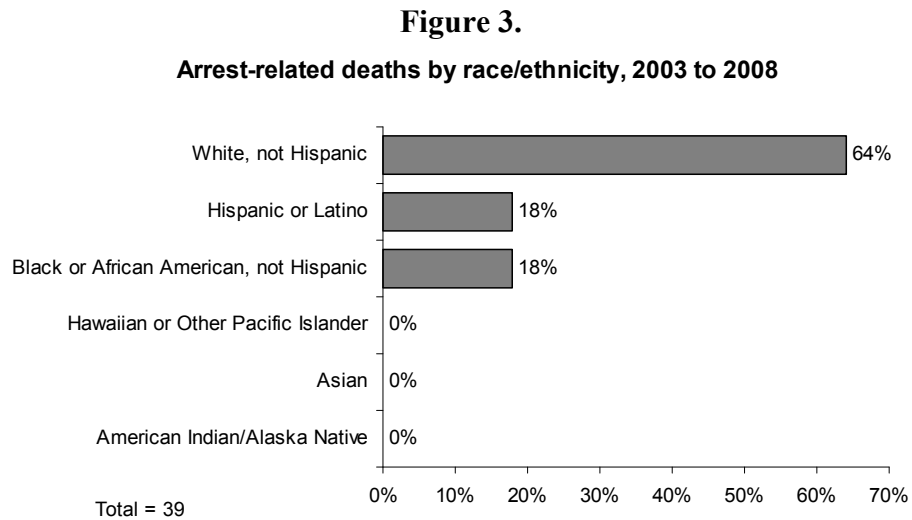
Gender

Deceased individuals were much more commonly male than female (97% male compared to 3% female)³.

³ Gender information was missing for one individual.

Race/Ethnicity

As shown in Figure 3, individuals were most commonly White, not Hispanic (64%) followed by Hispanic (18%) and Black, not Hispanic (18%).



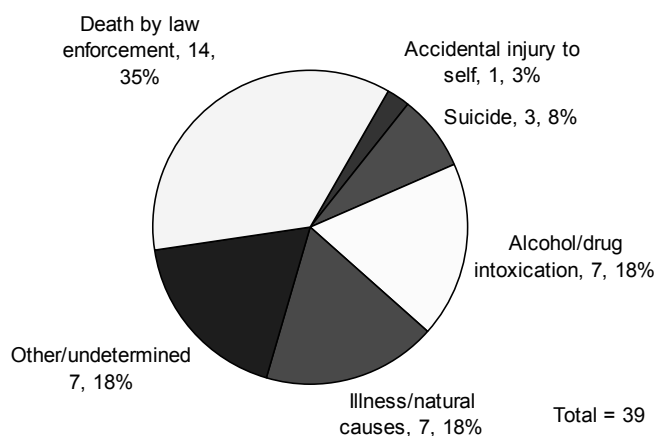
Mode and Cause of Arrest-related Deaths

Mode of Death

The mode of death for the majority of individuals was death by law enforcement (35%)⁴. Alcohol/drug intoxication, illness/natural causes, and other/undetermined were the next most common modes of death (18% each). Suicide and accidental injury to self were relatively uncommon (8% and 3% respectively).

Figure 4.

Arrest-related deaths by mode of death, 2003 to 2008

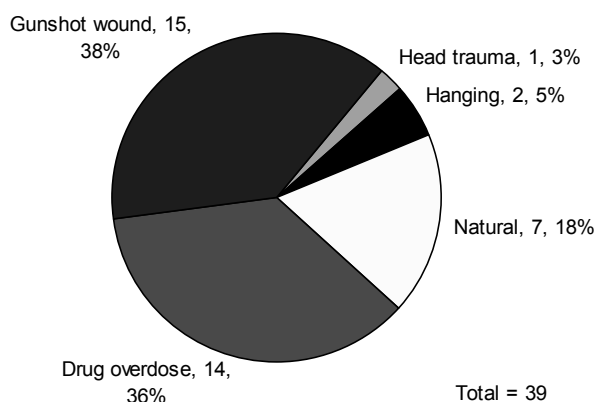


Cause of Death

The majority of deaths were caused by gunshot wound(s) (38%), followed closely by drug overdoses (36%)⁵.

Figure 5.

Arrest-related deaths by cause of death, 2003 to 2008



⁴ Data collected through the Bureau of Justice Statistics' Deaths in Custody Form refer to all deaths that resulted from the use of lethal force by law enforcement as "homicide by law enforcement". "Homicide by law enforcement" has been changed to "death by law enforcement" for the purposes of this report.

⁵ The cause of death was determined by the State Medical Examiner for every case.

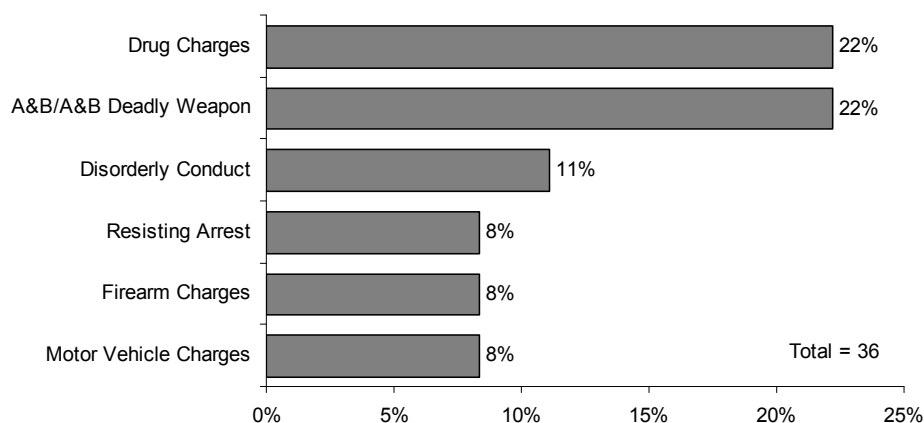
Circumstances Surrounding Arrest-Related Deaths

Charges

The most common charges filed (or intended to be filed) against the deceased at the time of death were drug charges (22%) and assault and battery (A&B)/A&B with a deadly weapon (22%). Disorderly conduct (11%), resisting arrest (8%), firearms charges (8%), and motor vehicle charges (8%) were also commonly cited^{6,7}.

Figure 6.

Most common charges for arrest-related death cases, 2003 to 2008

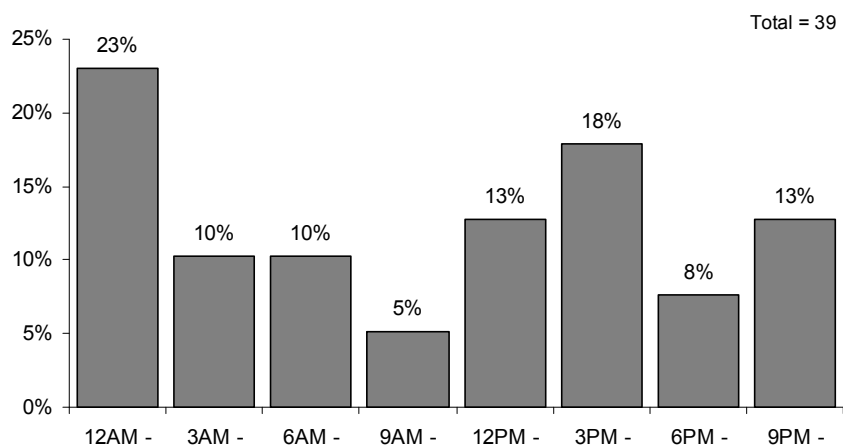


Time

Arrest-related deaths most commonly occurred between 12am and 3am (23%).

Figure 7.

Arrest-related deaths by time, 2003 to 2008



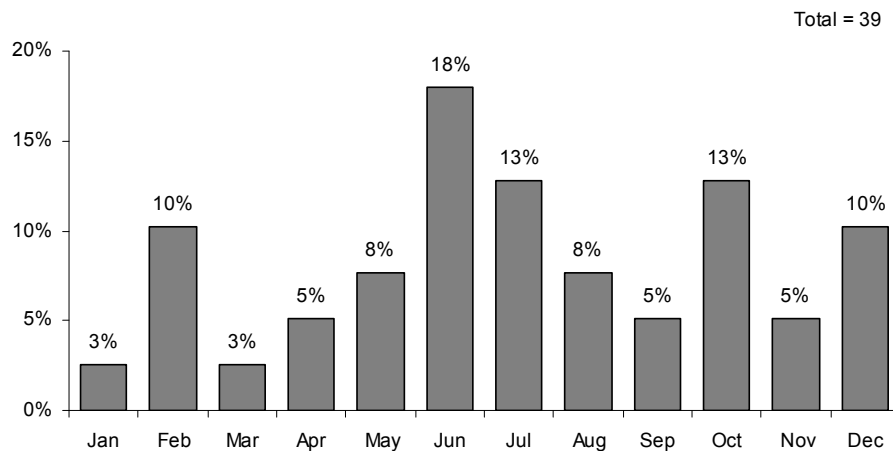
⁶ Please note, charges are not mutually exclusive as it is possible for one arrest-related death case to involve multiple charges.

⁷ Three cases did not involve any charges as police were responding to a medical/mental health assistance call.

Month

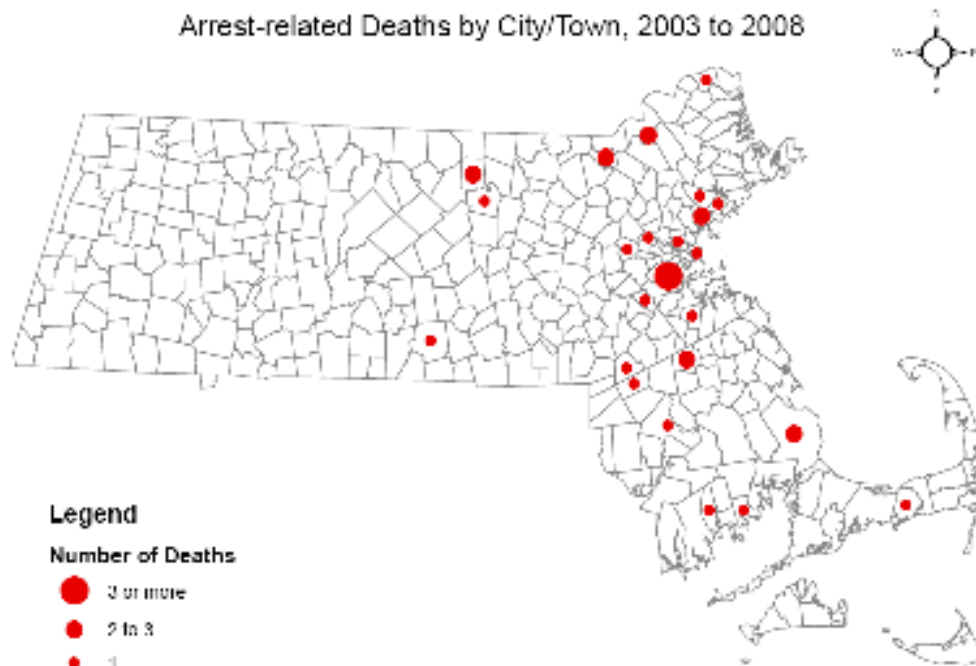
The largest number of arrest-related deaths occurred in June (18%). Arrest-related deaths occurred more frequently in summer months (June, July, August) than winter months (December, January, February); 39% compared to 23%.

Figure 8.
Arrest-related deaths by month, 2003 to 2008

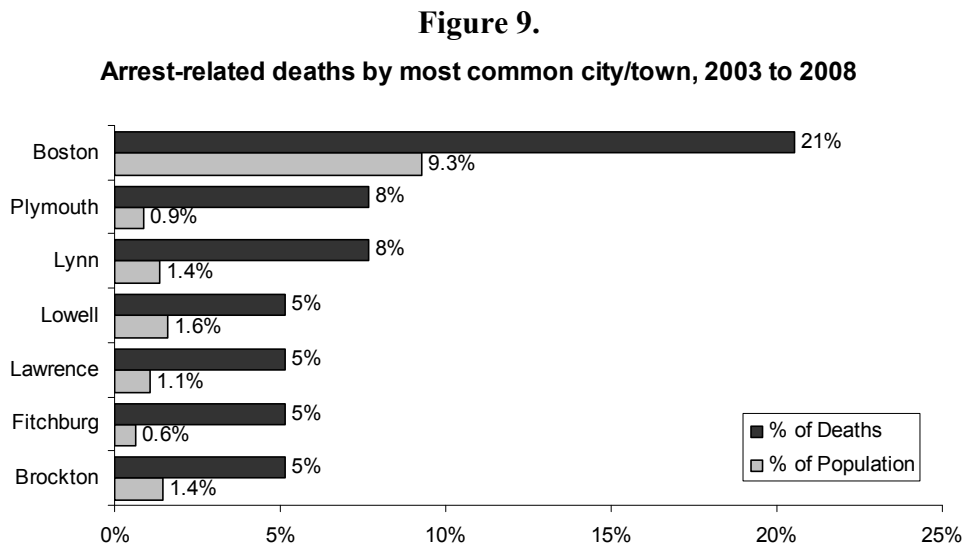


City/Town

The map below shows the distribution of arrest-related deaths around the State. The largest concentration of deaths occurred around the Boston area, while the western region of the State did not report any arrest-related deaths.

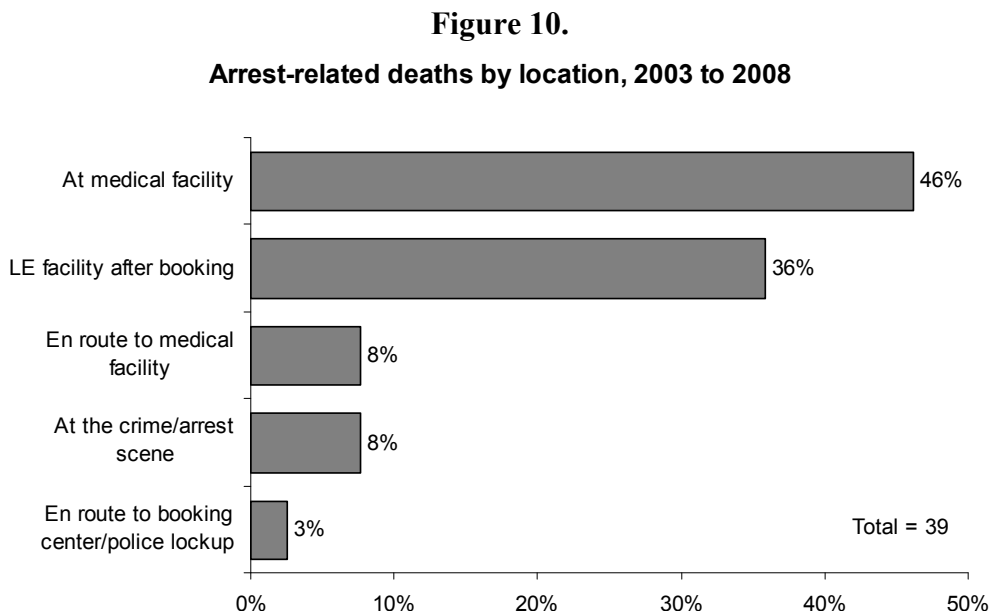


The most common city/town of arrest-related deaths was Boston (8) followed by Plymouth, and Lynn (3 each)⁸. Figure 9 shows the most common city/town of arrest-related deaths compared to the percent of population in each city/town. For example, Boston had 21% of the State's arrest-related deaths but only 9.3% of the population in the State. Only the most common locations were listed (those with 2 or more deaths).



Specific Location of Death

The majority of deaths occurred at a medical facility prior to booking (46%). The next most common location of death was at the law enforcement facility after booking (36%).



⁸ Please note that the location of death is provided, not the law enforcement agency involved. Approximately 82% of deaths occurred while in contact with local law enforcement while 18% occurred with the State Police.

Circumstances Specific to Time/Location of Death

The Deaths in Law Enforcement Custody form was designed to capture different characteristics for cases where the death, or actions causing the death, occurred prior to booking and those cases where the death occurred at the time of booking or later⁹. Because the variables collected for deaths prior to and post booking differ, they will be present in two separate sections below.

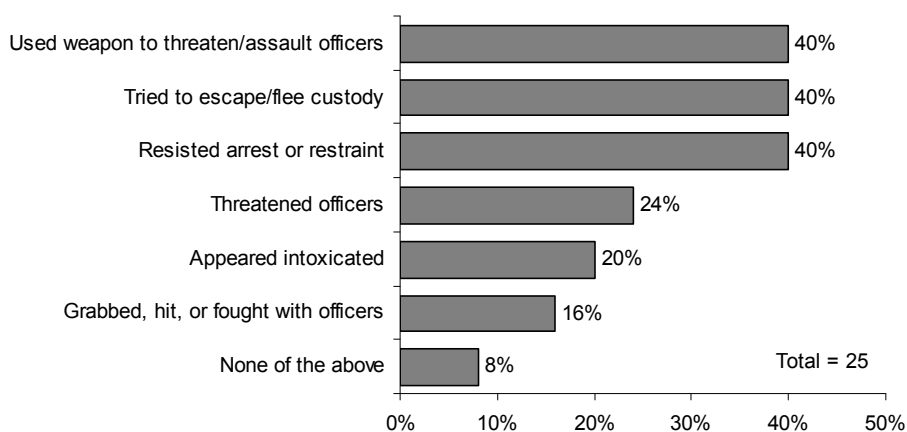
Circumstances of Cases where Death Occurred Prior to Booking

Of the 39 deaths in law enforcement custody, 25 occurred prior to booking (64%).

- Of these 25 cases, 68% died from their injuries only, 4% from a medical condition only, 4% were unclear. No individuals died from both injuries and a medical condition.
- Of the individuals that died from injuries only, 82% were inflicted by law enforcement officers while making the arrest, 12% were accidental injury to self, and 6% were suicides.
- Approximately 32% of individuals (8) were under restraint at the time of death. All were being restrained by handcuffs and 1 individual was restrained by both handcuffs and leg shackles.
- Figure 11 shows the types of action(s) that the deceased took during the incident¹⁰. Used weapon to threaten/assault officers, tried to escape from custody, and resisted arrest were the most common categories (40% each). Of the 40% of individuals who used a weapon to threaten/assault officers (10 individuals), 4 used a firearm, 4 a knife, 1 a broomstick, and 1 a motor vehicle.

Figure 11.

Percentage of cases where the deceased:



⁹ See the appendix for a copy of the data collection form.

¹⁰ Please note that these categories are not mutually exclusive as one individual could have committed multiple actions.

- As shown in Figure 4, there were 14 deaths caused by law enforcement. All of these deaths occurred prior to booking and a handgun was the weapon that caused the death in every case.

Circumstances of Cases where Death Occurred at Time of Booking or Later

Of the 39 deaths in law enforcement custody, 14 occurred at the time of booking or later (36%).

- None of the 14 individuals exhibited any mental health problems at the time of booking.
- Only 1 individual exhibited medical problems at the time of booking (7%).
- More than half (57%) of individuals who died at the time of booking or later appeared intoxicated (either alcohol or drugs).
- For deaths that occurred at the time of booking or later, the most common means of death was a drug overdose (64%), followed by illness/natural cause (21%), and suicide by hanging/strangulation (14%). No cases of death by law enforcement officer were committed after the time of booking.

Future Directions

This report contains basic descriptive statistics on individuals that died in law enforcement custody and the circumstances surrounding these deaths. EOPSS will continue to collect data on arrest-related deaths and report this data annually to the Bureau of Justice Statistics. The Research and Policy Analysis Division of EOPSS hopes to conduct more sophisticated analyses on this dataset in the future if more cases become available for comparison.